



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

March 3, 2016

TERRY LEE LIERMAN, TREASURER
O'MALLEY FOR PRESIDENT
1501 ST PAUL STREET SUITE 114
BALTIMORE, MD 21202-2846

Response Due Date

04/08/2016

IDENTIFICATION NUMBER: C00578658

REFERENCE: FEBRUARY MONTHLY REPORT (01/01/2016 - 01/31/2016)

Dear Treasurer:

This letter is prompted by the Commission's preliminary review of the report referenced above. This notice requests information essential to full public disclosure of your federal election campaign finances. **Failure to adequately respond by the response date noted above could result in an audit or enforcement action.** Additional information is needed for the following 2 item(s):

1. Schedule A-P of your report discloses one or more contributions that appear to exceed the limits set forth in the Act (see attached). You should examine all of your contributions to check for additional excessive contributions. The Committee's procedures for processing contributions should also be reviewed.

An individual or a political committee other than an authorized committee or qualified multi-candidate committee may not make a contribution to a candidate for federal office in excess of \$2,700 per election. An authorized committee may not make a contribution to a candidate for federal office in excess of \$2,000 per election. A qualified multi-candidate committee and all affiliated committees may not make a contribution(s) to a candidate for federal office in excess of \$5,000 per election. The term "contribution" includes any gift, subscription, loan, advance, or deposit of money or anything of value made by any person for the purpose of influencing any election for federal office. (52 U.S.C. § 30116(a) and (f) (formerly 2 U.S.C. §§ 441a(a) and (f)); 11 CFR §§ 110.1(b), (e) and (k))

If any apparently excessive contribution in question was incompletely or incorrectly disclosed, you must amend your original report with the clarifying information. If any contribution you received exceeds the limits, you may have to refund the excessive amount.

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Excessive contributions may be retained if, within sixty (60) days of receipt, the excessive portions are properly reattributed. Guidelines for each option are provided below:

For reattributions, excessive contributions from individuals can be retained if, within sixty (60) days of receipt, the excessive amount is properly reattributed to another person. Please note that reattributions only apply to excessive contributions from individuals. An excessive contribution is considered properly reattributed if (1) the contributors provide the committee with written documentation, signed by each contributor, authorizing a reattribution and indicating the amount of the contribution to be attributed to each contributor, or (2) the committee reattributes, by presumption, the excessive portion of the contribution if the contribution was made on a written instrument from a joint account and was signed by only one of the account holders. In this case, the treasurer must notify the contributors in writing within 60 days of receiving the contribution that the committee intends to reattribute the excessive portion and must give the contributor an opportunity to request a refund. (11 CFR § 110.1(k)(3)(ii)(B))

If the foregoing conditions for reattributions are not met within 60 days of receipt of the contribution, the excessive amount must be refunded. See 11 CFR § 103.3(b)(3).

Please inform the Commission of your corrective action immediately in writing and provide photocopies of any refund checks and/or letters reattributing the contributions in question. Refunds are reported on Line 28 of the Detailed Summary Page and on a supporting Schedule B-P of the report covering the period in which they are made. Reattributions are reported as memo entries on Schedule A-P of the report covering the period in which the authorization for the reattribution is received. (11 CFR §§ 104.8(d)(2), (3) and (4))

The acceptance of excessive contributions is a serious problem. Again, the committee's procedures for processing contributions should be examined and corrected in order to avoid this problem. Although the Commission may take further legal action, prompt action by you to refund and/or reattribute of the excessive amount will be taken into consideration.

2. Schedule A-P of your report discloses one or more contributions from an organization(s), which is not a political committee registered with the Commission (see attached). In order for your committee to accept contributions from unregistered organizations, your committee should take steps to ensure

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that the contributor(s) used permissible funds to make the contribution(s) to avoid violating 52 U.S.C. §§ 30116(f) and 30118 (formerly 2 U.S.C. §§ 441a(f) and 441b) or 11 CFR §102.5(b). Under 11 CFR §102.5(b), organizations which are not political committees under the Act and choose to contribute to federal committees must either: (1) establish a separate account which contains only those funds permitted under the Act, or (2) demonstrate through a reasonable accounting method that the organization has received sufficient funds subject to the limitations and prohibitions in order to make the contribution.

If any apparently prohibited contribution in question was incompletely or incorrectly disclosed, you should amend your original report with clarifying information. In addition, please clarify whether the contribution(s) received from the referenced organization(s) is permissible.

If you have received prohibited contributions, you must make a refund. (11 CFR § 103.3(b)(1)) The refund must be made within 30 days of the treasurer becoming aware of the illegality of the contribution. (11 CFR § 103.3(b)(2))

Please inform the Commission of your corrective action immediately and provide a photocopy of any refund checks. Refunds must be reported on a Schedule B-P supporting Line 28(b) or (c), as applicable, of the report covering the period in which the refund was made. (11 CFR § 104.8(d)(4))

Although the Commission may take further legal action concerning the acceptance of prohibited contributions, your prompt action to refund the prohibited amount will be taken into consideration.

Please note you will not receive an additional notice from the Commission on this matter. Adequate responses received on or before this date will be taken into consideration. **Requests for extensions of time in which to respond will not be considered.** Failure to comply with the provisions of the Act may result in an enforcement action against the committee. Any response submitted by your committee will be placed on the public record and will be considered by the Commission prior to taking enforcement action.

Electronic filers must file amendments (to include statements, designations and reports) in an electronic format and must submit an amended report in its entirety, rather than just those portions of the report that are being amended. If you should have any questions regarding this matter or wish to verify the adequacy of your response, please contact me on our toll-free number (800) 424-9530 (at the prompt press 5 to reach the Reports Analysis Division) or my local number (202) 694-1166.

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Sincerely,

A handwritten signature in black ink that reads "Bradley Matheson". The signature is written in a cursive, flowing style.

Bradley Matheson
Sr. Campaign Finance & Reviewing Analyst
Reports Analysis Division

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**Excessive, Prohibited, and Impermissible Contributions
O'Malley for President (C00578658)**

Excessive Contributions from Individuals

Contributor Name	Date	Amount	Election
Hong, Ken	10/20/15	\$1,000.00	P2016
Hong, Ken	10/22/15	\$137.80	P2016
Hong, Ken	1/18/16	\$1,700.00	P2016
Nawaz, Ahmed	6/15/15	\$2,000.00	P2016
Nawaz, Ahmed	1/12/16	\$1,500.00	P2016
Wagner, Mark R	6/30/15	\$2,700.00	P2016
Wagner, Mark R	1/4/16	\$250.00	P2016
Zelaya, Cameron	9/16/15	\$500.00	P2016
Zelaya, Cameron	11/6/15	\$50.00	P2016
Zelaya, Cameron	11/8/15	\$595.00	P2016
Zelaya, Cameron	11/15/15	\$100.00	P2016
Zelaya, Cameron	12/1/15	\$250.00	P2016
Zelaya, Cameron	12/22/15	\$250.00	P2016
Zelaya, Cameron	1/2/16	\$250.00	P2016
Zelaya, Cameron	1/12/16	\$310.00	P2016
Zelaya, Cameron	1/17/16	\$620.00	P2016
Zelaya, Cameron	1/17/16	\$53.00	P2016

Contributions from Unregistered Organizations

Contributor Name	Date	Amount	Election
Citizens for Karen Montgomery	1/13/16	\$200.00	P2016
Citizens of Brian Feldman	1/15/16	\$499.00	P2016
Committee to Elect Bobby Zirkin	1/29/16	\$999.99	P2016
Committee to Elect Joseph A Curtatone	1/19/16	\$1,000.00	P2016
Friends of Brian Hammock	1/29/16	\$250.00	P2016
Friends of Jim Rosapepe	1/20/16	\$500.00	P2016
Friends of Kathleen Dumais	1/15/16	\$500.00	P2016
Friends of Talmadge Branch	1/29/16	\$999.00	P2016
Friends of William Cole	1/11/16	\$999.00	P2016
The O'Malley Committee	1/22/16	\$500.00	P2016